

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ALLEN L. REYNOLDS, JR.,

Plaintiff,

V.

MARSHA JOY TETRICK,

Defendant.

CASE NO. 4:24-cv-682

JUDGE DAVID A. RUIZ

ORDER

Pro se Plaintiff Allen J. Reynolds, Jr., has filed a fee-paid complaint in this case against former federal Pretrial Probation Officer Marsha Joy Tetrick. (Doc. No. 1.) Although Plaintiff indicates in his complaint that he asserts jurisdiction on the basis of a federal question (*see id.* at 3, ¶ II), on its face, Plaintiff's complaint does not allege a specific federal claim or facts plausibly suggestive of a federal cause of action. Rather, the only discernible claims he asserts in his complaint are state-law tort claims over which the Court lacks diversity jurisdiction (as Plaintiff represents that he and Defendant are both citizens of the same state, Ohio).

Generally, where the filing fee has been paid by a plaintiff at the outset of the case, the district court may not *sua sponte* dismiss the complaint unless the court gives the plaintiff the opportunity to amend the complaint. *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). In accordance with *Apple v. Glenn*, Plaintiff is hereby provided the opportunity to file an Amended Complaint in this case within 21 days of the date of this Order, stating the specific claims he seeks to assert in the case and the factual basis for each such claim. If Plaintiff fails to file an Amended Complaint that sets forth a cognizable claim over which this Court may assert subject-matter

jurisdiction, this action may be dismissed without further notice. *Apple*, 183 F.3d at 479; *Catz v. Chalker*, 142 F.3d 279 (6th Cir. 1998). Further, Defendant may move to dismiss or answer any Amended Complaint Plaintiff files as allowed and within the time period provided by the Federal Rules of Civil Procedure and Local Rules.

IT IS SO ORDERED.

Date: July 31, 2024

/s/ David A. Ruiz

DAVID A. RUIZ
UNITED STATES DISTRICT JUDGE